

REMARKS

The Applicants respectfully request reconsideration of the present Application in view of the foregoing amendments and in view of the reasons that follow.

This amendment adds, changes and/or deletes claims in this Application. A detailed listing of claims that are, or were, in the Application, irrespective of whether the claim(s) remain under examination in the Application, is presented, with an appropriate defined status identifier.

Status of the Claims

Claims 1-23 and 38-41 were previously cancelled without prejudice to further prosecution on the merits.

Claims 24-37 and 65-68 are requested to be cancelled without prejudice to further prosecution on the merits.

Claims 42-64 are now pending.

Election/Restriction

On page 2 of the Office Action, the Examiner indicated that:

Restriction to one of the following inventions is required under 35 U.S.C. § 121:

- I. Claims 24-37, drawn to a merchandising system, classified in class 211, subclass 059.2.
- II. Claims 42-64, drawn to a merchandising system, classified in class 211, subclass 059.4.
- III. Claims 65-68, drawn to a merchandising system, classified in class 211, subclass 059.3.

The Applicants respectfully disagree with the Examiner's conclusion that restriction is proper in this case. Nonetheless, in order to further prosecution on the merits, the Applicants have elected Group II (Claims 42-64), and have cancelled Claims 24-37 and 65-68.

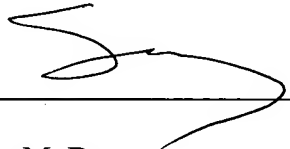
The Applicants believe that the present Application is now in condition for allowance. Favorable reconsideration of the Application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present Application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this Application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to the Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extension fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date 8/25/05

By 

FOLEY & LARDNER LLP
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5306
Telephone: (414) 297-5872
Facsimile: (414) 297-4900

Scott M. Day
Attorney for Applicants
Registration No. 52,801